

SUPPORT FOR THE AMENDMENT

Support for Claim 21 is found in claim 13 as originally presented. Support for claim 22 is found in claims 1, 3, 11, 13 and 15 and on page 8, lines 9-11 of the specification. Support for claims 23-30 is found in claims 2-9 and 20 as originally presented. No new matter would be added to this application by entry of this amendment.

Upon entry of this amendment, claims 1-12 and 14-30 will now be active in this application.

REQUEST FOR RECONSIDERATION

The present invention is directed to a fat composition.

Applicants wish to thank Examiner Paden for indicating that claims 2 and 10-19 are allowable if rewritten in independent form. Applicants have now rewritten claim 13 as new independent claim 21. The examiner is invited to pass claim 21 and claims 23-30 which depend there from, to issue.

Applicants respectfully request reconsideration of claims 1, 3-9 and 20 in view of the following amendment and remarks.

Claims 1, 4-9 and 20 have been rejected under 35 U.S.C. § 102(b) over Mori U.S. 6,106,879 while Claim 3 has been rejected as obvious under 35 U.S.C. § 103(a) over Mori in view of Haruo.

Applicants note, that Mori et al. U.S. 6,106,879 was filed with the U.S. Patent Office on April 30, 1998. Applicants further note, that an application corresponding with Mori et al. U.S. 6,106,899 was filed with the Japanese Patent Office on March 3, 1998, No. 10-051007 and was published on September 14, 1999 as JP 11-243,857.

Applicants respectfully submit that the present claims are neither anticipated nor obvious over the disclosure of Mori as the reference fails to disclose or suggest the combination of a diglyceride containing fat with 1) a fatty acid L-ascorbic ester antioxidant;

Application No. 10/014,449  
Reply to Office Action of May 2, 2003

and 2) at least one of catechin, sage extract and/or turmeric extract. Mori fails to disclose or suggest any of catechin, sage extract and/or turmeric extract and accordingly cannot anticipate nor render obvious the claimed invention. Applicants note that claim 1 has been amended to recite the specific materials of group (C) as catechin, sage extract and turmeric extract. Since the cited reference fails to disclose or suggest component (C) as presently claimed, the present invention is clearly neither anticipated nor obvious from the references and accordingly withdrawal of the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) are respectfully requested.

Applicants submit that this application is now in condition for allowance and early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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Norman F. Oblon  
Attorney of Record  
Registration No. 24,618

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/03)

Richard L. Chinn, Ph.D.  
Registration No. 34,305